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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,158	08/17/2001	Daniel D. Thaxton	STD 1066 PA	4650

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EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,158

Applicant(s)

THAXTON, DANIEL D.

Examiner

David Y. Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 25 2/24/05
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

CLAIMS PRESENTED

Claims 1-37 are presented.

Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive.

While Applicant's attorney asserts that his research by reading a newspaper article (written by a journalist) indicates a priority date of the reference (cited by Applicant himself), this assertion is NOT backed by any affidavit from the Applicant. Applicant is requested to directly provide an affidavit in his own words. What is the actual fact regarding this matter?

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stamps (cited by Applicant, www.stamps.com).

Regarding claim 1, Stamps teaches "1. A method of generating a secure document comprising: reading a first authenticating code from a printable media; (section Print Netstamps, i.e. reading into memory of the Print computer the stamp postage – the postage having the authenticating code to permit mailing by US Postal Service because the stamp postage itself gives authentication that the lawful amount of money was paid so that the envelope can be handled by US Postal Service) communicating said first authenticating code to a first transaction ...; receiving a second authenticating code from said first transaction ...; and, printing said second authenticating code on said printable media (section Print Netstamps, i.e. Serial Number – the serial number gives the second authenticating code which functions as the confirmation number of the transaction of having paid for the postage by the particular user)."

These passages of Stamps do not teach "processor" in the sense of the claim.

Nevertheless, it was well known in the art to have a "processor" situation among computers for the motivation of having easier handling of data flowing during operations.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify Stamps for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 2 (reading the authentication code from printable media, etc.), such particular features are well known in the art for the purpose of having convenience of obtaining such a code – e.g., Stamps reference uses NetStamps label sheet.

Regarding claim 3 (printer having a detector, etc.), such particular features are well known in the art for the purpose of having convenience of obtaining such a code – e.g., Stamps reference uses NetStamps label sheet. Regarding claims 4-10, such particular features are well known in the art for the purpose of handling information across computers.

Regarding claim 11, Stamps teaches “A method of receiving a secure document using a distributed network comprising: obtaining a printable media, said printable media having therewith, a first authenticating code; (section Print Netstamps, i.e. reading into memory of the Print computer the stamp postage – the postage having the authenticating code to permit mailing by US Postal Service because the stamp postage itself gives authentication that the lawful amount of money was paid so that the envelope can be handled by US Postal Service) placing said printable media in a printer; detecting said first authenticating code; communicating said first authenticating code to a first transaction ...; receiving a second authenticating code from said first transaction ...; and, printing said second authenticating code on said printable media (section Print Netstamps, i.e. Serial Number – the serial number gives the second authenticating code which functions as the confirmation number of the transaction of having paid for the postage by the particular user).”

These passages of Stamps do not teach “processor” in the sense of the claim.

Nevertheless, it was well known in the art to have a “processor” situation among computers for the motivation of having easier handling of data flowing during operations.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify Stamps for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 12 (using a RF device, etc.), such particular features are well known in the art for the purpose of having convenience of obtaining such a code – e.g., barcode devices, etc..

Regarding claim 13 (RF device reading code, etc.), such particular features are well known in the art for the purpose of having convenience of obtaining such a code – e.g., barcode devices, etc.. Regarding claims 14-36, such particular features are well known in the art for the purpose of handling information across computers.

Regarding claim 37, Stamps teaches “A system for creating a secure document comprising: a ...identification device embedded within a printable media, said ...identification device programmed to store a unique first authenticating code; (section Print Netstamps, i.e. reading into memory of the Print computer the stamp postage – the postage having the authenticating code to permit mailing by US Postal Service because the stamp postage itself gives authentication that the lawful amount of money was paid so that the envelope can be handled by US Postal Service) a detector comprising a ... device reader integrated into a paper feed path of a printing platform; a computer arranged to communicate with said detector and said printing platform; and, a first transaction ... arranged to receive said first authenticating code read by said detector and issue a bar code comprising a second authenticating code against said first authenticating code, wherein said second authenticating code is printed onto said

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printable media by said printing platform (section Print Netstamps, i.e. Serial Number – the serial number gives the second authenticating code which functions as the confirmation number of the transaction of having paid for the postage by the particular user).”

These passages of Stamps do not teach “processor” or “radio frequency” in the sense of the claim.

Nevertheless, it was well known in the art to have a “processor” situation among computers for the motivation of having easier handling of data flowing during operations. Also, it was well known in the art to have such “radio frequency” devices for the purpose of having convenience of obtaining such a code – e.g., barcode devices, etc..

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify Stamps for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Greg Morse whose telephone number is (571) 272-3838.

David Jung

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

Patent Examiner

5/16/05